

801 Rec'd PCT/PTO 20 DEC 1999

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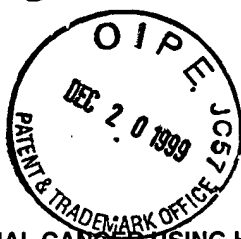
In re Patent Application of

**BROWN et al**

Serial No. 09/117,218

Filed: January 11, 1999

Title: TREATMENT OF NON-NEURONAL CANCER USING HSV MUTANT



Atty Dkt. 620-70

C#/M#

Group Art Unit:

Examiner:

Date: December 20, 1999

RECEIVED

13 JAN 2000

Assistant Commissioner for Patents

BOX PCT

Washington, DC 20231

Sir:

**AMENDMENT AND RENEWED PETITION UNDER 37 CFR 1.48**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number previously paid for 3 (at least 3) = 0 x \$ 78.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$260.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00 /1 month; \$380.00/2 months; \$870.00/3 months) \$ 110.00

Terminal disclaimer enclosed, add \$110.00 \$ 0.00

First submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$760.00) \$ 0.00

Second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$ 760.00 ) \$ 0.00

☐ Please enter the previously unentered filed

**SUBTOTAL \$ 110.00**

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$240.00) \$ 0.00

Assignment Recording Fee ( \$40.00 ) \$ 0.00

**TOTAL FEE ENCLOSED \$ 110.00**

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road  
8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4091  
Facsimile: (703) 816-4100  
BJS:rdw

**NIXON & VANDERHYE P.C.**

By Atty: B.J. Sadoff, Reg. No. 36,663

Signature: \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**BROWN et al**

Serial No. 09/117,218

Filed: January 11, 1999

For: TREATMENT OF NON-NEURONAL CANCER  
USING HSV MUTANT



Atty. Ref.: 620-70

Group:

Examiner:

Attention: PCT Legal Office

\* \* \* \* \*

December 20, 1999

Assistant Commissioner for Patents  
**BOX PCT**  
Washington, DC 20231

**AMENDMENT AND RENEWED PETITION**  
**UNDER 37 C.F.R. 1.48**

Sir:

Entry and consideration of the following amendments and remarks are requested along with consideration of the attached Renewed Petition. The period for requesting reconsideration of the Decision of September 21, 1999, having been extended up to and including December 21, 1999, by submission of the attached one month petition and extension petition fee.

**IN THE INVENTORSHIP:**

Amend the Patent Office records, where appropriate, to add John Kucharczuk, as an additional inventor.

**REMARKS**

Attached is a Renewed Petition Under 37 C.F.R. 1.48, as required by the Decision on Petition dated September 21, 1999, to add John Kucharczuk as an inventor of the above-identified application.

No further Petition fee is believed to be required See, page 3 of the Decision on Petition.

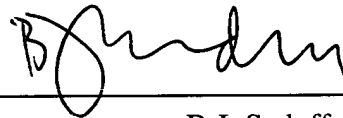
As the present application has not been assigned by any of the originally named inventors, written consent, as described as item (4) of the Decision on Petition, is not required.

Entry of the above amendment and grant of the attached Renewed Petition are requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



B.J. Sadoff  
Reg. No. 36,663

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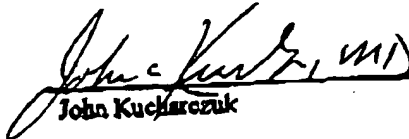
RENEWED PETITION UNDER 37 C.F.R. 1.48

Sir:

I believe that I, John Kucharczuk, am an inventor of the claimed subject matter in the above-identified application. The error in failing to name me as an inventor in the above-identified application arose without any deceptive intent on my part.

I hereby petition to amend the above-identified application to include me as an inventor. An amendment to change the inventorship is attached.

Signed this 16<sup>th</sup> day of Nov, 1999.

  
John Kucharczuk